

U.S. Department  
of Transportation

United States  
Coast Guard



Commandant  
United States Coast Guard

4200 Wilson Boulevard  
United States Coast Guard  
Suite 1000  
National Pollution Funds Center  
Arlington, VA 22203-1804  
Staff Symbol: NPFC  
Phone: 703-235-4750

COMDTINST 16451.7  
3 FEB 1995

## COMMANDANT INSTRUCTION 16451.7

Subj: CERCLA NON-INCIDENT FUNDS

1. PURPOSE. To provide guidance concerning the management and use of CERCLA non-incident funds.
2. ACTION. District Commanders, Commanders of Maintenance and Logistics Commands, and Commanding Officers of Headquarters Units shall ensure compliance with this Instruction.
3. DIRECTIVES AFFECTED. The policy and procedures set forth in this Instruction will be incorporated into Volume IX of the Marine Safety Manual (COMDTINST M16000.11).
4. DISCUSSION.
  - a. The Coast Guard, through the National Pollution Funds Center (NPFC), receives annual non-incident funding from the U.S. Environmental Protection Agency (EPA) under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Specific requirements and deadlines must be met to ensure effective use of CERCLA funds.
  - b. CERCLA non-incident funds are provided for personnel costs (CERCLA reimbursable billets/positions), equipment, training, and miscellaneous support services solely related to chemical response activities. Non-incident funds are provided by the EPA at the beginning of the fiscal year to cover planned and budgeted expenses which

are not chargeable to a specific incident. Policy and procedures for costs incurred directly related to an incident are provided separately.

- c. The non-incident fund process spans three fiscal years of budgeting and budget execution. Although all CERCLA fund users are responsible for managing their funds, the primary Coast Guard components involved with CERCLA financial management are the NPFC, Reserve Training Center, Yorktown, and Coast Guard Headquarters, specifically, the Marine Environmental Protection Division (G-MEP), the National Response Center (G-TGC) and the Safety and Environmental Health Division (G-KSE). The Marine Environmental Protection Division (G-MEP) oversees the CERCLA non-incident fund activities of the National Strike Force and Districts including field units. The Safety and Environmental Health Division (G-KSE) oversees CERCLA medical activities.

## 5. POLICY.

- a. Submission of the budget year plus 1 (BY+1) budget to EPA occurs in early summer and is based upon guidance issued by EPA. This guidance usually contains the total amount of CERCLA non-incident funds to be authorized for the particular fiscal year. NPFC computes the personnel costs for CERCLA billets by using the Personnel Allowance List (PAL) and the Standard Personnel Costs. Reimbursements to AFCs 20, 30, 56 and 57 are also included. The total personnel cost is considered non-discretionary and can only be decreased with a decrease in billets. The remainder of the budget represents the funding available for the components' budgets.
- b. Determination of the budget year (BY) funding levels involve the submission of spending plans, usually in September, based on guidance provided by NPFC. The spending plans are developed "bottom up" and submitted via the appropriate manager described in paragraph 4c. NPFC compares the total of all spending plans to the target established by EPA. Once the total of all spending plans have been adjusted to bring them in line with the funding level authorized by EPA, funding targets and accounting data will be disseminated. Each component will receive correspondence indicating their funding level, accounting string, agreement number, and E-mail address for Program Element Status (PES) report delivery.
- c. Funding levels with accounting strings will be issued at the beginning of the fiscal year. Unforeseen circumstances may cause delays, but every effort will be made to issue targets and accounting information in early October. The target will not be apportioned. That is, 100% of the funding level will be provided at the

beginning of the fiscal year (FY). There will be no quarterly carryover limitations. This should permit units to obligate funds in an effective manner by adhering to their spend plans and avoiding last minute spending. A caution: The funds are fully allocated. No additional funds will be available.

- d. All units with CERCLA non-incident funds are required to submit quarterly reports. Districts will submit a consolidated report to include all district units. Districts and the National Strike Force shall submit their report to Commandant (G-MEP). All others shall submit their report to NPFC (cf). The information in the report is necessary to meet the reporting requirements set forth by EPA. Reports are due by the 15th of the month following the end of the quarter and shall provide data for the quarter and cumulative data for the year including:
  - (1) Accounting summaries showing all CERCLA transactions including reconciliation with PES reports. All unreconciled amounts must be identified and investigated.
  - (2) Training staff-hours, including instructor preparation and participation time (if CG instructor) and trainee-hours
  - (3) A detailed description of any equipment purchases.
  - (4) A detailed description of any contracts.
  - (5) For RTC Yorktown, include staff-hours for class/exercise setup, and maintenance of publications and equipment, in addition to training staff-hours.
  - (6) For Commandant (G-TGC), include the number of CERCLA and non-CERCLA discharge reports processed, and the number of CERCLA-related FOIA inquiries.
  - (7) A summary of any significant chemical events including but not limited to chemical responses, chemical training, chemical exercises and meetings.
  - (8) Suggestions for improving business practices. If problems are identified, recommend solution(s).
- e. Equipment purchased with CERCLA funds is owned by EPA and managed by EPA rules. The majority of the equipment is held by the Strike Teams as part of their established CERCLA equipment inventory. This inventory is drawn upon for both training and incident response. When this equipment is consumed from inventory during a CERCLA

## COMDTINST 16451.7

incident, the equipment costs shall be charged to the incident and replaced with incident funds. Prorated portions of major equipment costs also shall be charged. The non-incident budget shall only fund purchases of equipment consumed during training, new items added to the inventory and any other equipment costs not attributable to a specific incident.

KENT H. WILLIAMS